FOR MYSORE STATE

0-52.

P. W. (1953) Department.

RL SERIES.

G.O. No. 1315.

Dated the 29th August, 1953.

[Despatch Abstract.]

LAND ACQUISITION - South Kanara District - Mangalore Taluk -and Twon - Attavar Village T.S.No.188/ (Portion) sinking of well and construction of pump house for supplying water to Ice Factory at Mangalore - Draft notification under Section 4(1) and draft declaration under Section 6 of Land Acquisition Act with urgency clause - Published.

R.Dis.12522/53

S.K.Collector's Office,
Mangalore dated 22.7.1953.

From

Sri A.Mahalingam Chettiar, B.A.,
Collector of South Kanara.

ASSISTANT SECRETARY TO GOVERNMENT
29 JUL 1953
69140
PUBLIC WORKS DEPARTMENT

To

The Secretary to the Government,
P.W.D.Fort St.George,
M a d r as 9. (In duplicate).

Sir,

SUB: Land Acquisition (S.K.) Mangalore Taluk and Town- Attavar village T.S.No.188/ (Portion) sinking of a well and construction of a pump house for supplying water to Ice Factory at Mangalore- Proposals under Sec. 4 (1) and 6 of the L.A.Act read with Sec. 17 (1) submitted.

The Executive Engineer P.W.D.South Kanara Division Mangalore has applied for the acquisition of a portion of T.S.No.188 of Attavar village Mangalore Taluk for the purpose of sinking a well and constructing a pump house for water supply to the ice-making and freezing plant at Mangalore. The E.E. has made a request to treat the matter as urgent and hand over the plot to the P.W.D. expeditiously.

2. Enquiry shows that the portion of the plot sought to be acquired contains a tank which is now in a dilapidated condition with a little tree growth in it and that it does not contain any buildings or religious edifices such as tombs mosques etc.

3. The Sub division records and the valuation statements are under preparation by my subordinate officers. The approximate extent of the plot is 0.12 acres and the cost of acquisition is about Rs.2800/- The L.A.O.recommends that the urgency provisions of section 17 (1) of the L.A.Act may be invoked in this case.

4. I submit herewith the draft notification under Sec. 4 (1) and Draft Declaration under Sec. 6 of the L.A.Act both read with Sec.17 (1) of the same Act in duplicate and request that they may be approved and ordered to be published in the successive issues of the Fort St.George Gazette.

Yours faithfully,

For Collector. 24-7-53

Copy to the R.D.O.Mangalore with enclosures.
Copy to the Executive Engineer, P.W.D.with copies of notification under Sec. 4 (1) and D.D.under Sec. 6 of the L.A.Act.

24.7.

Copy of.

N O T I F I C A T I O N.

Whereas it appears to the Govt. of Madras; that the land specified in the schedule below and situated in No.86 Attavar village of Mangalore taluk S.Kanara District is needed for a public purpose of sinking a well and construction of a pump house for supplying water to the Ice fee Factory at Mangalore.

Notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4(1) of the Land Acquisition act I of 1894 as amended by the L.A.Act XXXVIII of 1923, the Governor of Madras hereby authorises the Revenue Divisional Officer Mangalore and his staff and workmen to exercise the powers conferred by section 4(2) of the act.

Under sub section (4) of section 17 of the act the Governor of Madras directs that in view of the urgency of the case, the provisions of section 5A of the act shall not apply to the acquisition of the waste areable lands specified in the shhedule.

SCHEDULE.

District: South Kanara. Taluk: Mangalore Village: 86 Attavar

Description of the land: T.S.No.188(portion) Garden. extent required 0.12 acre.

Name of the owners:- Joint registered holders:
1. Herbert Britto
2.Hoseph Britto
3. Mauris Brito
power of attorney holder of Nos.2 and 3 Sri Herbert Britto, Rosario Church Road, Mangalore.

NOTIFICATION.

Under section 6 of the Land Acquisition Act, the Governor of Madras, hereby declares that the land specified below and measuring acres 0.12 be the same a little more or less is needed for public purpose to wit, for sinking a well and constructing a pump house for applying water to Ice factory at Mangalore, and under section 3 and 7 of the same Act, the Revenue Divisional Officer, Mangalore, is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. Under sub-section (1) of section 17 of the Act, the Governor of Madras further directs that the possession of the said land may be taken on the expiry of ~~xxxxx~~ 15 days from the date of the publication of the notice mentioned in section 9(1) of the Act. A plan of the land is kept in the office of theRevenue Divisional Officer, Mangalore, and may be inspected at anytime during office hours.

SCHEDULE.

1. District South Kanara.
2. Taluk Mangalore.
3. Village 86. Attavar.

Description of land wet or dry inam or poramboke, with Survey or Paimash number - Ryotwari garden, T.S.No.188 (Portion)

5. Name of owner or occupier - Joint Registered holders.

1. Hurbert Britto.
2. Joseph Britto

(Power of attorney holder for Nos. 2 and 3 is No.1 Hurbert Britto).

Boundaries of the land required to be taken up.

6. North
7. East.
8. South
9. West.
10. Extent to be taken up--0.12.

(TRUE COPIES)

Superintendent.

kkr.

NOTIFICATION

Whereas it appears to the Governor of Madras, that the land specified in the schedule below and situated in No.86 Attavar village of Mangalore taluk S.Kanara district is needed for a public purpose of sinking a well and construction of a pump house for supplying water to the Ice Factory at Mangalore.

Notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4(1) of the Land Acquisition act I of 1894 as amended by the L.A. Act XXXVIII of 1923, the Governor of Madras hereby authorises the Revenue Divisional Officer Mangalore and his staff and workmen to exercise the powers conferred by section 4(2) of the act. Under section (c) of the act His Excellency the Governor of Madras appoints the Revenue Divisional Officer Mangalore to perform the functions of a Collector under section 5A of the act.

Under sub-section 4(1) of section 17 of the act the Governor of Madras directs that in view of the urgency of the case, the provisions of section 5A of the act shall not apply to the acquisition of the waste arable lands specified in the schedule.

SCHEDULE.

District: South Kanara. Taluk: Mangalore Village: 86 Attavar

Description of the land: T.S.No.188 (portion) Garden. Extent required 0.12 acre

Name of the owners: joint registered holders:
1.Herbert Britto
2.Joseph Britto
3.Mauris Brito
power of attorney holder of Nos. 2 and 3
Sri Herbert Britto, Rosario Church Road,
Mangalore

S.Kanara Collector's office)
Mangalore dated 22.7.53.) A2617

For Collector. 22-7-53

NOTIFICATION

Under section 6 of th Land Acquisition Act, The Governor of Madras, hereby declares that the land specified below and measuring acres 0.12 be the same a little more or less is needed for public purpose to wit, for sinking a well and constructing a pump house for applying Revenue-Di water to Ice factory at Mangalore, and under sections 3 and 7 of the same Act, the Revenue Divisional Officer, Mangalore, is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. Under sub-section (1) of section 17 of the Act, His Excellency the Governor of Madras further directs that the possession of the said land may be taken on the expiry of 15 days from the date of the publication of the notice mentioned in section 3(1) of the Act. A plan of the land is kept in the office of the Revenue Divisional Officer, Mangalore, and may be inspected at any time during office hours.

SCHEDULE.

1. District South Kanara.
2 Taluk Mangalore
3 Village 86. Attavar.
Description of land wet or dry inamor peramboke, with Survey or Panmash number - Ryotwari garden, T.S.No. 188 (Portion)
5. Name of owner or occupier - Joint Registered holders.
   1. ~~Rubert~~ Hurbert Britto.
   2. Joseph Britto
   3. Mouris Britto
   4 Power of atterney holder for Nos. 2 and 3 is No. ~~Rubert~~ Hurbert Britto).

Boundaries of the land required to be taken up.
6 North —
7. East. —
8 South —
9 West. —
10 Extent to be taken up - 0.12.

S. Kanara Collector's office,
Mangalore, dated 22.7.53.

for Collector.

C.No.69140 C/53

Rev. Sectt. 22—6,206—9-1-40.

GOVERNMENT OF MADRAS.

Received _____ 194 . *Registered* _____ 194 .

Abstract.

Land Acquisition - South Kanara District - Mangalore Taluk and Town - Attavar Village T.S.No.188/ (Portion) sinking of a well and construction of a pump house for supplying water to Ice Factory at Mangalore - draft notification under Section 4(1) and draft declaration under Section 6 of L.A. Act with urgency clause - Published.

ASSISTANT SECRETARY TO GOVT. 12 AUG 1953 DEVELOPMENT DEPT.

PUBLIC WORKS (C) DEPARTMENT.

G.O. No. R. 1315 dated the 29—8 1953

Read again:

G.O.Ms.No.220 Devlopment dated 15th January 1953.

Read also:

From the Collector of South Kanara, Mangalore No.R.Dis.12522/53, dt. 22-7-1953.

ORDER.

The draft notification under Section 4 (1) and the draft declaration under Section 6 of the Land Acquisition Act submitted by the ~~Board of Revenue~~ Collector of S.Kanara with ~~its~~ his Reference ~~cited above~~ cited are approved and are forwarded to the Superintendent, Government Press, for publication. ~~The notification should be published in English in the *Fort Saint George Gazette* and the declaration should be published in English in the *Fort Saint George Gazette* and in English and in _____ in the _____ District Gazette.~~ The Superintendent, Government Press, is requested to see that the notification and the declaration are published in successive issues (not in the same issue) of the *Fort Saint George Gazette*, the notification under Section 4 (1) being published earlier.

2. The Government accept the view that the acquisition is an urgent one and under Section 17 (4) of the Land Acquisition Act direct that the provisions of Section 5-A of the Act shall not apply to this case.

(By order of the ~~Governor in Council~~ ~~Government Ministry of~~)

Addl. Deputy *Secretary to Government.*

To the Superintendent, Government Press, with a notification and a declaration ~~in diglott~~, for publication.
" Board of Revenue, ~~Land Revenue and Settlement~~.
" Collector of South Kanara.
" ~~Revenue Divisional Officer~~,
" ~~Agent~~, Railway.
" ~~Special Revenue Officer, Cauvery-Mettur Project~~.
" ~~Engineer-in-chief, Cauvery-Mettur Project~~.
" Chief Engineer. P.W.D.(Gl. & B)
" ~~Commissioner of Labour~~.
" ~~District Labour Officer~~,
" Director of Fisheries
" Devt Deptt
[2 spare copies] with a copy of No.3-5-A.

~~Forwarded~~.

(~~By order~~).

P.W.D.(C.1)

Development and Revenue may see before issue.

District.

Superintendent.

P.W.Dis.69140/53-2

101232

Dev Cf.

20 AB

The draft order and note of P.W.Dept Plabrac may be passed and in case passed to Revenue Dept.

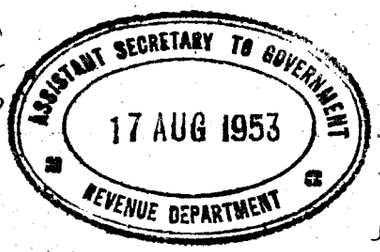
12863. AG
13.8.53

18/8/53 Rev

Dev no 101232 f-153-1
13.8.53

69009C
17/8/53

Rev. Dept



G
17/8/53

J. A.S.

The draft order overleaf may be passed. The proposal to invoke the urgency provisions of the L.A. Act may be agreed to in this Deptt, subject to the corrections indicated in pencil on pp 3 and 5 cf.

2 May be returned to P.W.D.

22.8.53

P. W.

Could you kindly refer to Sec. 4(1) & Sec. 17 of L. A. Act referred to on p 3 cf?

24853

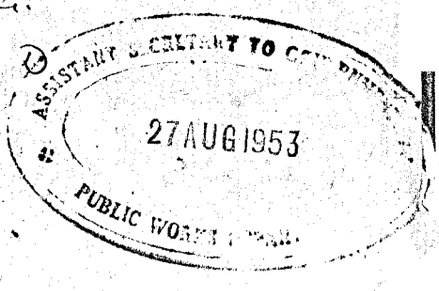
J. Asst.

The reference on p 3 cf is to sub-section (4) of section 17 of the L.A Act. The mistake has since been corrected in pencil. It is reported that it was not noticed before in the Secretariat.

May be returned to P.W.D.

26.8.53 77082
AS.09(D)-1

24853 P. W.



PWD (C1)

The amendments to the draft notification and draft declaration proposed by Revenue may be agreed to. The draft order may issue.

27/8/53

28/8/53

Issued as GO Rt No. 1315 PWD) 29.8.53